IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 1233 OF 2006

IN

CRIMINAL APPEAL NO. 556 OF 2006

Satish @ Motya Jagannath .. Applicant.

vs.

The State of Maharashtra. .. Respondents.

Mr. P.M. Pradhan for the Applicant.
Mr. S.R. Borulkar, P.P. for the State.

Coram: J.N. PATEL &,
R.S. MOHITE, JJ.
Date: 9th January, 2007.

P.C.

. Mr. Pradhan, the learned counsel for the applicant, has drawn the attention of this Court to the fact that though he has preferred an appeal against conviction in this court which has been admitted along with an application for suspension of sentence which was pending in this court, without obtaining his consent Mrs. Pranali Kakade has filed Criminal Application No. 1233 of 2006 in Criminal Appeal No. 556 of 2006 i.e. in the same matter for grant of

temporary bail. The office has not put up any note as to how such an application was entertained without obtaining no objection from the earlier counsel. We strongly deprecate such practice on the part of the Advocate for appearing in matters where other advocate is already on record without obtaining his consent. Mr. Pradhan submits that he has no objection if the client withdraws the brief from him and entrusts it to some other advocate, but this Court at some stage should put an end to such practice. It is really unfair on the part of the learned Advocate who moved Criminal Application No. 1233 of 2006 in the matter without obtaining no objection from Mr. Pradhan. However, the learned Advocate has not even bothered to attend the court today when the matter was called out.

2. Criminal Application No. 1233 of 2006 is rejected for non-prosecution.

(J.N. Patel, J.)

(R.S. Mohite, J.)